

## WAS IT PROCURED BY FRAUD?

HOW MRS. "E.PH" SIMMONS GOT A DIVORCE.  
THE FATHER OF THE MAN SHE MARRIED TRYING  
TO HAVE IT DECLARED VOID.

James Griffiths Henry married the divorced wife of "Eph" Simmons, the lottery man, on January 18, 1882, and on September 28, 1883, he died leaving his fortune of \$100,000 to her. His will was admitted to probate, and his father, Evan J. Henry, now seeks to have the probate revoked on the ground that the wife used undue influence and that she had obtained a fraudulent divorce from her first husband. A hearing of the case for the purpose of taking testimony was ordered by the Surrogate last June. Four months later Mrs. Sarah Henry, in whose favor the will was made, caused the arrest of Mrs. Catherine E. Moore, who was formerly her housekeeper, and who yesterday in the Surrogate's Court gave damaging testimony regarding the divorce proceedings and the marriage of the couple with whom she had lived. Her arrest was made on a charge of grand larceny, in retaining money which her former mistress said she had sent her to pay grocers' bills. She was released on bail, and says the arrest was made to discredit her testimony in the case.

Mrs. Moore testified that she had been acquainted with Mr. Henry. The young widow, who is about thirty-three years of age, had lived with "Eph" Simmons since she was about eighteen until her marriage with Mr. Henry. She married Simmons in 1878. While with her husband at Saratoga she met Henry, and the marriage intimate between them, and they were at Long Branch together for some time. They went to the Catskill Mountain House in September, 1881. Learning that on Oct. 1st Mr. Henry was in search of a man's warrant they left there suddenly. Afterward Henry came to this city and settled here. Simmons's mother's will, which Mrs. Simmons was living on, asked the witness to aid her in proving that the witness that he would like to be his wife.

Mr. Moore asked if she might marry Henry, saying that she was perfectly willing. Mr. Simmons told the witness that he would like to be his wife.

It is confidently hoped that the three districts of Rensselaer County will elect Republican Assemblymen, making a gain of two.

Joseph Puniter of the *New-York World*, has served an answer to the letter of Mr. McKnight, of Castleton, McKnight, formerly a bookkeeper in the Troy factory appointed a clerk in the postal card factory at Castleton. The world confounded him with another man, and said hard things about him. Pulitzer in his answer denies that he is the owner or proprietor of *The World*. Robert Conkling in his opinion, said that Mr. and Mrs. Simmons induced her to give this evidence before the referee, and both made her present after ward. Mrs. Sims, Simmons's wife, got a portion of the estate awarded to her husband, and told her that Henry was a "soft head," and she must turn him around her fingers whenever she chose.

When the papers in the divorce suit were received at the house on December 2, 1881, Mrs. Simmons, according to the *Times*, was greatly pleased, and cried out: "To triumph! We have done the best day's work we ever did in our lives." Three weeks later Mr. Henry and Mrs. Sims were married. A few days before the ceremony Mrs. Simmons told Henry that there was another man who she would marry if he did not do as she wished, and an ante nuptial contract was then drawn up and signed by the parties. The couple travelled extensively.

Mr. Henry died on September 25, 1883. In all their travels they were constantly squabbling. While boarding at the Albany Hotel, Mrs. Sims told Mr. Henry to go to the witness room and plated ware belonging to the hotel and sent her with them to the house of her mother.

From the Hoffman House she left afterwards for the home of two small table cloths, tea and coffee sets and a wine cooler. Wherever she stayed she took laundry. She said the bills were so large that this was the only way to get even. When Mr. Henry's son endeavored to see him in the Park Avenue Hotel, he was told he had met his match when he met her. Before Mr. Henry's death Mrs. Henry told the witness that he had left everything to himself and nothing to her. Finally a policeman gained entrance to the place and found the girls hiding in the cellar. Alderman Geeser discharged the bar-keeper, and the Mayor made a complaint to the Board of Ethics.

Several Germans have determined to form a Lager beer brewing company here with a capital of \$40,000. John Koller is president.

IS MRS. LUCINDA MORGAN INSANE?

The inquiry in regard to the sanity of Mrs. Luanda Morgan, who has been confined in the asylum at Pleasanton, N.Y., since 1881, was begun by Dr. Stiles early yesterday. Dr. Chouteau, superintendent of the asylum, testified that Mrs. Morgan had delusions. She was in the habit of giving away money, but he thought she could take care of her own property. A statement from the New-York Life Insurance and Trust Company was submitted showing that her income last year amounted to \$1,000. The company was paid \$150,000 on her deathbed claims for about \$2,000.

The Municipal Reform League, in addressing the Legislature, charged that she had an interest in the New-York Hotel property worth \$1,500,000, and owned a house in Canada, New-Orleans, worth about \$2,000.

## LIBELS IN TWO SUITS DISMISSED.

Judge Addison Brown, of the United States District Court, rendered decisions yesterday dismissing the libel in the suits of the Pennsylvania Railroad Company against the steamer *Erasus Corning*, and of the Continental Insurance Company against the steamer *Ferdinand E. Voss*, for damages sustained by the *Voss* in a collision with the *Corning* on June 25. The suit in which the insurance company was interested was for account of the loss of a large amount of coal which was being taken by the *Voss* to New-Haven and which was lost off Bridgeport on December 23, 1884.

## GENERAL TERM DECISIONS.

ALBANY, Oct. 29.—In the Court of Appeals today the following decisions were handed down:

Fredrick S. Pease, respondent, vs. Samuel B. Hinckley, appellant. Judgment reversed; held trial granted costs to plaintiff.

John C. Smith and others, respondents, vs. Charles H. Hinckley, and others, appellants. Christian Harrison, respondent at the trial, the Brooklyn State and County Bank, and others, appellants; George W. Simms, respondent, vs. George H. F. Sawyer, respondent; and Kearley, respondent, vs. Kearley, respondent. Held trial granted to the respondents.

George W. Simms, respondent, vs. Andrew M. Pratt, respondent; and James Menehan, respondent; Andrew M. Pratt, respondent; vs. Daniel Palmer, respondent; and Kearley, respondent, vs. Kearley, respondent. Held trial granted to the respondents.

John C. Smith and others, respondents, vs. Charles H. Hinckley, respondent; and Kearley, respondent, vs. Kearley, respondent. Held trial granted to the respondents.

The People ex rel. Elihu Van Aken, overseer, etc., respondent; Warren Miller and others, respondents; and Kearley, respondent, vs. Kearley, respondent. Held trial granted to the respondents.

It was ordered that the Court take a recess from this date until Monday, November 23.

## CULTIVATING TREES IN GERMANY.

WORK OF A COMMISSIONER SENT TO THIS COUNTRY BY THE BAVARIAN GOVERNMENT.

The constitution of the German Empire is somewhat similar to that of the United States, but the difference in the importance and size of the States making the union is much greater than in the United States. Prussia with her 35,000,000 inhabitants, Bavaria with 5,500,000, Saxony with 3,800,000, Baden, Wurttemberg, Alsace-Lorraine, with between 1,000,000 and 2,000,000, may be considered as large states, while a dozen or so states in population down to 200,000 inhabitants. All these states possess large rural domains, the most important of which are the forest domains. A total one-fourth of all Germany is covered with forests, which gives 50,000 square miles of forest. One-fourth of this belongs to the Government, taking about 16,000 square miles of forest land under Government administration. This forest land is unevenly distributed among the States. Bavaria is the leading forest state of the German Union, having about one-third of all the forest land of Germany, while the population and area are only about one-third.

The Bavarian Government has sent an assistant professor of the University of Munich, Dr. H. May, to the northern part of the United States to investigate new species of trees capable of being cultivated in Germany in a natural and profitable manner. Many of the forest trees cultivated in Germany belong to the fir variety, and travelling along the northern slope of the Alps one may have a practically uninterrupted journey of 500 miles through sooty and profitless forests extremely uniform, but just because of their uniformity allowing a rational management. In an interview with a Tribune reporter Dr. May said that his chief object is the different species of woods and among them the *Pinus sylvestris* or *nut-bearing tree*, which are almost entirely wanting in Europe, where no wood can be obtained to compare a quality with hickory and other varieties; also the different species of maples and oaks, which produce such excellent wood, have formed the object of his investigation. While he has no report as yet for the system of forestry practised in New-England, he thinks that the quality of the wood that might be grown here would be superior to anything Europe could produce. To dry summer here produces a narrow layer of summer wood, and thus a more uniform degree of hardness than would be produced in America, where the wood is more uniform, and dries in a few days—doubtless another victim of the polluted air or water incident to most summer resorts and even to many farms where townpeople are invited during the warm months and sanitary conditions disregarded, through ignorance or carelessness, in the latter which ignores the first principles of life. Under such circumstances, the results in their ways in this vital particular the near future will witness a great multiplication of such fatal cases, to the vast detriment of the paying business of taking boarders. Already, well-informed city people have in seeking summer quarters come to look critically to the water supply, and to the provision of pure water, and the cleanliness of all the surroundings, and the number of these instances is annually increasing, as the result, in part, of the wide publication of just such sad fatalities as the one above mentioned.

Another addition to the decent care we urge should be found in the desire for self-preservation on the part of farmers and villagers. Travelling the year round in close proximity to "Lommer-ecosseum," and perhaps drawing day by day diluted excrements from convenient wells, would appear to be greater danger than the residents of paved streets, who can return to their more sanitary homes at the end of a week.

This presentation of facts may not be exaggerated, let every man study his surroundings, for safety. As an illustration of this need, even in regions very thinly populated, we mention a sample instance, partly by considerations of health, have sold, at a price of a certain age, a tree of ground taken up by a hamlet where, though there are altogether hardly more than a wagonload of people, two or three festering pustules and disgusting poisons rise from the fountains, and in certain conditions of the summer and autumn atmosphere fill the little basin of a valley with an almost intolerable stench.

Not long ago the wood a spruce grown in the Rocky Mountains was sold by a pound to ship-makers in New-England, and the German Government was able to save to the possibility of its being added to its own treasury. This spruce is the so-called Douglas spruce, *Pseudotsuga*, and already made extensive, not only in Barra but in other parts of

Germany. This spruce will form one of the special objects of investigation.

All these forest-raising Governments would greatly like to be able to cultivate the black walnut tree, but the winters of Germany and the States have come into the possession of large tracts of land through the secularization of the convents, through the foreclosure of large estates, and most of all through the transfer of lands belonging to royal families, private property into general ownership. The American often wonders why German small rulers are paid such enormous (what he calls) salaries; these in most cases are not small, they are the interest on a value greatly depreciated.

The small unit of administration embraces about six years; the time of office, being 120 years, and the smallest unit of government is the town, and the largest of towns the district. Once a year the heads of the townships meet to discuss the affairs of the town at the time of holding a town meeting.

The Bavarian Government has sent an assistant professor in Cambridge for the purpose of taking testimony was ordered by the Surrogate last June. Four months later

Mrs. Sarah Henry, in whose favor the will was made, caused the arrest of Mrs. Catherine E. Moore, who was formerly her housekeeper, and who yesterday in the Surrogate's Court gave damaging testimony regarding the divorce proceedings and the marriage of the couple with whom she had lived. Her arrest was made on a charge of grand larceny, in retaining money which her former mistress said she had sent her to pay grocers' bills. She was released on bail, and says the arrest was made to discredit her testimony in the case.

Mrs. Moore testified that she had been acquainted with Mr. Henry. The young widow, who is about thirty-three years of age, had lived with "Eph" Simmons since she was about eighteen until her marriage with Mr. Henry. She married Simmons in 1878. While with her husband at Saratoga she met Henry, and the marriage intimate between them, and they were at Long Branch together for some time. They went to the Catskill Mountain House in September, 1881. Learning that on Oct. 1st Mr. Henry was in search of a man's warrant they left there suddenly. Afterward Henry came to this city and settled here. Simmons's mother's will, which Mrs. Simmons was living on, asked the witness to aid her in proving that the witness that he would like to be his wife.

Mr. Moore asked if she might marry Henry, saying that she was perfectly willing. Mr. Simmons told the witness that he would like to be his wife.

It is unusual dissension in the local Democracy. The Seventh Ward, a Democratic stronghold, is split two, and each side charges ballot-box stuffing and fraud.

It is confidently hoped that the three districts of Rensselaer County will elect Republican Assemblymen, making a gain of two.

Joseph Puniter of the *New-York World*, has served an answer to the letter of Mr. McKnight, of Castleton, McKnight, formerly a bookkeeper in the Troy factory appointed a clerk in the postal card factory at Castleton. The world confounded him with another man, and said hard things about him. Pulitzer in his answer denies that he is the owner or proprietor of *The World*.

Robert Conkling in his opinion, said that Mrs. Sims, Simmons's wife, got a portion of the estate awarded to her husband, and told her that Henry was a "soft head," and she must turn him around her fingers whenever she chose.

When the papers in the divorce suit were received at the house on December 2, 1881, Mrs. Simmons, according to the *Times*, was greatly pleased, and cried out: "To triumph! We have done the best day's work we ever did in our lives."

Three weeks later Mr. Henry and Mrs. Sims were married. A few days before the ceremony Mrs. Simmons told Henry that there was another man who she would marry if he did not do as she wished, and an ante nuptial contract was then drawn up and signed by the parties. The couple travelled extensively.

Mr. Henry died on September 25, 1883. In all their travels they were constantly squabbling.

While boarding at the Albany Hotel, Mrs. Henry told the witness that he had left everything to himself and nothing to her.

Finally a policeman gained entrance to the place and found the girls hiding in the cellar.

Alderman Geeser discharged the bar-keeper, and the Mayor made a complaint to the Board of Ethics.

The Troy Concert Company is a new combination of vocal and instrumental performers, which gave its initial concert last night.

## TROY.

## SCHOOL COMMISSIONER—LIBEL SUIT—ORDINATION—MUSICAL.

[FROM AN OCCASIONAL CORRESPONDENT OF THE TRIBUNE.]

TROY, Oct. 30.—Ex-President Brennan, of the School Board, has been superseded by the Democratic nomination of John F. Cahill for Commissioner. It is a non-partisan board and nomination by either party is equivalent to election.

There is unusual dissension in the local Democracy. The Seventh Ward, a Democratic stronghold, is split two, and each side charges ballot-box stuffing and fraud.

It is confidently hoped that the three districts of Rensselaer County will elect Republican Assemblymen, making a gain of two.

Joseph Puniter of the *New-York World*, has served an answer to the letter of Mr. McKnight, of Castleton, McKnight, formerly a bookkeeper in the Troy factory appointed a clerk in the postal card factory at Castleton. The world confounded him with another man, and said hard things about him. Pulitzer in his answer denies that he is the owner or proprietor of *The World*.

Robert Conkling in his opinion, said that Mrs. Sims, Simmons's wife, got a portion of the estate awarded to her husband, and told her that Henry was a "soft head," and she must turn him around her fingers whenever she chose.

When the papers in the divorce suit were received at the house on December 2, 1881, Mrs. Simmons, according to the *Times*, was greatly pleased, and cried out: "To triumph! We have done the best day's work we ever did in our lives."

Three weeks later Mr. Henry and Mrs. Sims were married. A few days before the ceremony Mrs. Simmons told Henry that there was another man who she would marry if he did not do as she wished, and an ante nuptial contract was then drawn up and signed by the parties. The couple travelled extensively.

Mr. Henry died on September 25, 1883. In all their travels they were constantly squabbling.

While boarding at the Albany Hotel, Mrs. Henry told the witness that he had left everything to himself and nothing to her.

Finally a policeman gained entrance to the place and found the girls hiding in the cellar.

Alderman Geeser discharged the bar-keeper, and the Mayor made a complaint to the Board of Ethics.

The Troy Concert Company is a new combination of vocal and instrumental performers, which gave its initial concert last night.

## UTICA.

## MARRIAGE IN HIGH LIFE—A LIQUOR STORE EPISODE.

[FROM AN OCCASIONAL CORRESPONDENT OF THE TRIBUNE.]

UTICA, Oct. 30.—Edward A. Carton and Miss Margaret Butterfield were married on Wednesday. About 900 guests were present. The bride is a niece of General Daniel Butterfield, and sister of Passenger Agent Butterfield, of the Utica and Black River Railroad.

Miss Rhea, announced to play in "Frou Frou" Thursday night, failed to appear, because of sickness.

On Sunday evening a crowd gathered in front of Alderman Geeser's liquor store. The bar-keeper and two young girls inside, and a number of spectators gathered up to the place and found the girls hiding in the cellar. Alderman Geeser discharged the bar-keeper, and told her that Henry was a "soft head," and she must turn him around her fingers whenever she chose.

The Troy Concert Company is a new combination of vocal and instrumental performers, which gave its initial concert last night.

Mr. Puniter of the *New-York World*, has served an answer to the letter of Mr. McKnight, of Castleton, McKnight, formerly a bookkeeper in the Troy factory appointed a clerk in the postal card factory at Castleton. The world confounded him with another man, and said hard things about him. Pulitzer in his answer denies that he is the owner or proprietor of *The World*.

Robert Conkling in his opinion, said that Mrs. Sims, Simmons's wife, got a portion of the estate awarded to her husband, and told her that Henry was a "soft head," and she must turn him around her fingers whenever she chose.

When the papers in the divorce suit were received at the house on December 2, 1881, Mrs. Simmons, according to the *Times*, was greatly pleased, and cried out: "To triumph! We have done the best day's work we ever did in our lives."

Three weeks later Mr. Henry and Mrs. Sims were married. A few days before the ceremony Mrs. Simmons told Henry that there was another man who she would marry if he did not do as she wished, and an ante nuptial contract was then drawn up and signed by the parties. The couple travelled extensively.

Mr. Henry died on September 25, 1883. In all their travels they were constantly squabbling.

While boarding at the Albany Hotel, Mrs. Henry told the witness that he had left everything to himself and nothing to her.

Finally a policeman gained entrance to the place and found the girls hiding in the cellar.

Alderman Geeser discharged the bar-keeper, and the Mayor made a complaint to the Board of Ethics.

The Troy Concert Company is a new combination of vocal and instrumental performers, which gave its initial concert last night.

Mr. Puniter of the *New-York World*, has served an answer to the letter of Mr. McKnight, of Castleton, McKnight, formerly a bookkeeper in the Troy factory appointed a clerk in the postal card factory at Castleton. The world confounded him with another man, and said hard things about him. Pulitzer in his answer denies that he is the owner or proprietor of *The World*.

Robert Conkling in his opinion, said that Mrs. Sims, Simmons's wife, got a portion of the estate awarded to her husband, and told her that Henry was a "soft head," and she must turn him around her fingers whenever she chose.